IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

WP(C).No. 25216 of 2006(B)

PETITIONER:

MARKAZZU SSAQUAFATHI SUNNIYA,
A SOCIETY REGISTERED UNDER THE SOCIETIES
REGISTRATION ACT, REPRESENTED BY ITS GENERAL
SECRETARY, A.P.ABOOBACKER MUSLIYAR,
S/O.AHAMMED HAJI, KARANTHUR P.O.,KUNNAMANGALAM
AMSOM, KARANTHUR DESOM, KOZHIKODE DISTRICT.

BY ADV. SRI.N.SUBRAMANIAM
SRI.M.S.NARAYANAN

RESPONDENTS:
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1. THE SUB INSPECTOR OF POLICE,
ATHOLI POLICE STATION, KOZHIKODE.

2. THE CIRCLE INSPECTOR OF POLICE,
QUILANDY POLICE STATION, KOZHIKODE.

3. THE DEPUTY SUPERINTENDENT OF POLICE,
THAMARASSERY, KOZHIKODE.

4. PARAYI, W/O. LATE KANDAN,
OTHAYOTH, KAKKANCHERRY P.O., ULLIYIL AMSOM,
MANAD DESOM, QUILANDY TALUK, KOZHIKODE DISTRICT.

5. SREEJA, AGED 28 YEARS,
D/O. PARAYI, -DO- -DO-.

6. PUSHPA, AGED 26 YEARS,
D/O. PARAYI, -DO- -DO-.

7. RAJU, AGED 22 YEARS,
S/O. PARAYI, -DO- -DO-.

8. O.K. VELAYUDHAN, S/O. APPARI,
VADAKOTH MEETHAL, -DO- -DO-.

R1 TO R3 BY G.P.SRI.P.A.SALIM
SRI.SHAJU PURUSHOTHAMAN
SRI.K.N.SASINDRAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.25216/2006

APPENDIX

EXT.P1: TRUE COPY OF DOCUMENT NO.196/2004 OF THE S.R.O., NADUVANNOOR DATED 30.01.2004.

EXT.P2: TRUE COPY OF TAX RECEIPT DATED 26.02.2004.

EXT.P3: TRUE COPY OF CERTIFICATE DATED 01.03.2004.

EXT.P4: TRUE COPY OF THE ORDER PASSED BY THE R.D.O. DATED 14.02.2005.

EXT.P5: TRUE COPY OF THE JUDGMENT IN W.P.(C)NO.13089/2005 DATED 06.05.2005.

EXT.P6: TRUE COPY OF THE JUDGMENT IN O.S.NO.15/2004 OF THE SUB COURT, KOYILANDY 20.06.2006.

EXT.P7: TRUE COPY OF THE BUILDING PERMIT ISSUED BY THE ULLIYERI GRAMA PANCHAYATH IN FAVOUR OF THE PETITIONER DATED 13.09.2006.

EXT.P8: TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO RESPONDENTS 1 TO 3 DATED 14.09.2006.

RESPONDENTS' EXHIBITS:

EXT.R4(a): TRUE COPY OF THE MEMORANDUM OF APPEAL FILED BY THE RESPONDENTS NO.4,5,6 AND 7 BEFORE THE DISTRICT COURT, KOZHIKODE DATED 21.8.2006.

EXT.R4(b): TRUE COPY OF THE INDEGENT IA.2429/2006 DATED 21.8.2006 FILED ALONG WITH THE MEMORANDUM OF APPEAL BEFORE THE DISTRICT COURT, KOZHIKODE.

// TRUE COPY //

TKS

J.B.KOSHY & K.P.BALACHANDRAN,JJ.

W.P.(C)No.25216 OF 2006

Dated 18th January, 2007

JUDGMENT

Koshy,J.

This is a petition for police protection. A detailed order was passed by a Division Bench of this court on 6.11.2006. It is submitted by the counsel for the contesting respondents that an appeal has been filed against Ext.P6 judgment in O.S.No.15 of 2004. We are not expressing any opinion regarding the merits of the civil disputes between the parties. However, police is directed to see that law and order is maintained and subsisting civil court orders are not violated.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

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